

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Juan Herrera

v.

Case No. 23-cv-427-SE-AJ

FCI Berlin, Warden

ORDER

No objection having been filed, I herewith approve the Endorsed Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated January 24, 2024. For the reasons explained therein, the case is dismissed, and the Warden's Motion for Summary Judgment (Doc. No. 6) is denied, without prejudice, as moot.

"'[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'"
School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

The Clerk is directed to enter judgment and close the case.



Samantha D. Elliott
United States District Judge

Date: March 27, 2024

cc: Juan Herrera, pro se
Counsel of record